

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate)	CG Docket No. 17-59
Unlawful Robocalls)	
)	
Call Authentication Trust Anchor)	WC Docket No. 17-97

Supplemental Comments of Noble Systems Corporation

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Noble Systems, a provider of contact center software and cloud-based service solutions, submits these supplemental comments in regard to the Commission’s DECLARATORY RULING AND THIRD FURTHER NOTICE OF PROPOSED RULEMAKING¹, scheduled to be considered at its upcoming monthly meeting on June 6, 2019.² That document includes two portions, the first portion (“Declaratory Ruling”) would allow carriers to block “robocalls” to their customers, by default, after determining such calls are unwanted and/or illegal. The carriers are presumed to employ reasonable analytics-based algorithms for determining whether such calls are robocalls. The second portion (“Third Further Notice of Proposed Rulemaking”) includes a safe harbor for carriers blocking calls by targeting potentially spoofed calls identified using the “Shaken/Stir” standards.

The Declaratory Ruling portion states that “we clarify that voice service providers may offer opt-out call-blocking programs based on any reasonable analytics designed to identify unwanted calls.”³ The exact scope of “reasonable analytics” is likely to be a difficult metric to quantify with any specificity, and the various parameters described in paragraph 34 can be weighted and used differently by different analytics providers.

Noble Systems believes that the reasonableness of any blocking algorithm could be most effectively evaluated by measuring reports from subscribers and callers whose calls are being blocked. A simple, but effective, approach for measuring the reasonableness of the blocking algorithm is for each carrier to report on a quarterly basis to the FCC, the number of complaints received from their subscribers and corresponding callers of the calls alleged to be erroneously blocked. The effectiveness of the blocking algorithm is ultimately measured by whether calls have been blocked correctly. This, in turn, depends on receiving feedback from the parties directly impacted – namely, the callers and called parties.

This requires that callers and called parties have a way to ascertain which specific calls were blocked. For a carrier’s subscribers, this can occur by providing a website or other means for subscribers to review which calls have been blocked, and why. Subscribers should be offered a mechanism to indicate which calls were erroneously blocked. Further, callers whose calls are

¹ FCC-CIRC1906-01, CG Docket No. 17-59, WC Docket No. 17-97.

² <https://www.fcc.gov/news-events/events/2019/06/june-2019-open-commission-meeting>.

³ FCC-CIRC1906-01, par. 33.

blocked can be provided an intercept by the carrier informing them that their call has been blocked, along with a telephone number or website URL where a complaint can be lodged.

The collection of this data by the carrier will allow them to fine-tune and improve their blocking algorithms. Hence, carriers directly benefit from receiving this information. Otherwise, it is difficult for analytics providers to measure the effectiveness of their algorithms.

Mandating that carriers report this information to the FCC on a quarterly basis will allow the FCC to monitor whether carriers are, in fact, improving their blocking algorithms and employing “reasonable” algorithms. Both the number and trend of these allegations of erroneous blocking will be an indicator of whether the algorithms are improving. They also allow a relative basis of comparison of the effectiveness. Certainly, without this data the FCC cannot perform an objective evaluation as to the effectiveness of call blocking on unwanted and illegal calls. Further, informing subscribers of which calls are blocked informs the subscriber as to whether they should opt-out from the default blocking. If the algorithm is ineffective, subscribers should know. Without providing subscribers and callers this information, the reasonableness of the analytics algorithms cannot be ascertained.

Thus, should the Commission decide to approve the Declaratory Order, the Commission should mandate that carriers that provide call blocking must also provide mechanisms to their subscribers and to callers informing them on a call-by-call basis, whether the call was blocked, and further provide their subscribers and callers with a means to indicate the call was erroneously blocked. Finally, the carriers should be required to report such data on a quarterly basis, which should be made public, to allow an evaluation of the “reasonableness” of their blocking algorithms.

Respectfully submitted on May 30, 2019,

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